

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

In re: THOMAS LEE Debtor, VW CREDIT, INC. Movant, v. THOMAS LEE, and KENNETH E. WEST, Trustee, Respondents.	Bankruptcy No. 25-10411-amc Chapter 13
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MOTION FOR RELIEF FROM THE AUTOMATIC STAY

AND NOW, comes Movant, VW Credit, Inc. (the “Movant”), by and through its undersigned counsel, Bernstein-Burkley, P.C., and files this Motion for Relief from the Automatic Stay (the “Motion”), representing as follows:

THE PARTIES

1. Respondent, Thomas Lee (the “Debtor”) is an adult individual with a place of residence located at 760 Reeceville Road, Coatesville, PA 19320-0000.
2. Kenneth E. West is the duly appointed Chapter 13 Trustee and is currently acting in such capacity.

JURISDICTION AND VENUE

3. This matter is a core proceeding and this Court has jurisdiction pursuant to 28 U.S.C. § 1334. Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409. Movant seeks relief pursuant to 11 U.S.C. § 362(d) and FRBP 4001 and 9014.

FACTUAL BACKGROUND

4. On or about January 31, 2025, the Debtor filed a voluntary petition for relief pursuant to Chapter 13 of the Bankruptcy Code.

5. On or about April 5, 2024, the Debtor purchased a 2024 Audi RS 3 , VIN: WUAG4DGY5RA907097 (the “Vehicle”), pursuant to a Retail Installment Contract (the “Contract”) with the Movant, a true and correct copy of which is attached hereto as **Exhibit A**.

6. Movant has a secured interest in the Vehicle, as evidenced by the Certificate of Title attached hereto as **Exhibit B**.

7. The Contract requires monthly payments of \$1,649.78, which amounts are due on or before the 19th of each month.

8. As of the date of this Motion, the Debtor is in default of their payment obligations to Movant in the amount of \$6,599.12. The Debtor is currently due for the payment due on February 15, 2025.

9. The Debtor’s Chapter 13 Plan states that payments to Movant will be made outside the Plan.

10. The Total Debt due on the Contract as of May 7, 2025, was \$86,697.61.

11. The N.A.D.A value for the 2024 Audi RS 3, VIN: WUAG4DGY5RA907097 is \$50,625.00. A true and correct copy of a printout showing that value is attached hereto as **Exhibit C**

12. Movant is entitled to relief from the automatic stay for cause, including the Debtor’s failure to maintain their post-petition payments to Movant. 11 U.S.C. §362(d)(1).

WHEREFORE, Movant, VW Credit, Inc., respectfully requests that this Honorable Court enter an Order, pursuant to 11 U.S.C. § 362(d), granting Movant relief from stay with respect to the 2024 Audi RS 3, VIN: WUAG4DGY5RA907097.

Respectfully submitted,

BERNSTEIN-BURKLEY, P.C.

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Dated: May 29, 2025

Counsel for VW Credit, Inc.